

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

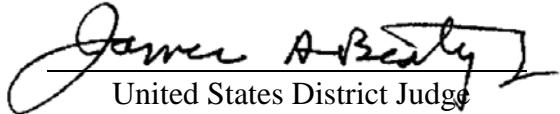
TORNELLO PIERCE, )  
                        )  
                        )  
Plaintiff,            )  
                        )  
                        )  
v.                     )               1:06CV00147  
                        )  
                        )  
OCWEN LOAN SERVICING, )  
                        )  
                        )  
Defendant.            )

ORDER

This matter is before the Court on Defendant Ocwen Loan Servicing's Motion to Dismiss [Document #7]. On June 16, 2006, the Recommendation of the United States Magistrate Judge was filed with the Court and served on the parties in this action in accordance with 28 U.S.C. § 636(b). Plaintiff Tornello Pierce timely filed Objections to the Recommendation. The Court has appropriately reviewed the portions of the Magistrate Judge's Report to which objection was made and has made a *de novo* determination which is in accord with the Magistrate Judge's Report. The Court therefore adopts the Recommendation of the Magistrate Judge.

IT IS THEREFORE ORDERED that Defendant's Motion to Dismiss [Document #7] is GRANTED, and this case is DISMISSED WITH PREJUDICE. IT IS FURTHER ORDERED that Plaintiff's Motion for Summary Judgment [Document #11] is therefore DENIED AS MOOT.

This, the 14<sup>th</sup> day of July, 2006.

  
United States District Judge

